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Intellectual Property Law

JUL 3 0 2004

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53 A East Lee Street WARRENTON, VA 20186

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5404281721

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Of Counsel: WILLIAM CHARLES JAMISON WILLIAM O. TROUSDELL\* (PA, DC)

\*Admitted only in states indicated

PLEASE DIRECT CORRESPONDENCE TO OUR WARRENTON OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE:

July 30, 2004

TO:

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RE:

U.S. Patent Application No. 09/774,266

For: Fluoropolymer Resins Containing Ionic or Ionizable Groups

AND PRODUCTS CONTAINING THE SAME

Our Ref: 3055-002-01

FROM:

Luke A. Kilyk, Esq.

FAC. TEL. NO.:

1-703-872-9306

NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 21

Items Attached: Request for Correction of Inventorship of a Patent Application -- 2 pages

Attachments A-D -- 16 pages Fee Transmittal - 1 page

Credit Card Payment Form -- 1 page

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on July 30, 2004.

Donald S. Prater

Name (Print)

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

PAGE

PTO/SB/17 (10-03)

Approved for use through 07/31/2008. OMB 0851-0032
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## FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

(\$) 130.00

Applicant Claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

Complete if Known				
Application Number	09/774,266	_		
Filing Date	January 30, 2001			
First Named Inventor	HEDHLI et al.			
Examiner Name	Wiillam K. CHEUNG			
Art Unit	1713			
Attorney Docket No.	3055-002-01	_		

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1003 5	30	2003	265	Plant filing fee	1402	330	2402	165	Filling a brief in support of an appeal	
	70	2004	385	Reissue filing fee	1403	290	2403	145	Request for oral hearing	
1005 1	60	2005	80	Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding	
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1202	18	2202	9	Claims in excess of 20	1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
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SUBMITTED BY		Complete (il applicable)			
Name (Print/Type)	Luke A. Kilyk	Registration No. (Attorney/Agent) 33,251	Telephone	1-540-428-1701	
Signature	Le 97h		. Oate	July 30, 2004	
	WARNING Information on the	arm may become nublic. Credit		-	

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR (77 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR (1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Paterni and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need essistence in completing the form, call 1-800-PTO-9199 and select online.

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on July 30, 2004.

Donald S. Prater	Donald S. Crats	
Name (Print)	Signature	

Customer No.: 33432

PAGE 04

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office, Fax No. 1-703-872-9306 on July 30, 2004.

Donald Prater Name (Print) Donald S. Prets

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

JUL 3 0 2004

In re Application of: HEDHLI et al.

Application Number: 09/774,266

Filed: January 30, 2001

Examiner: William K. Cheung

Group Art Unit: 1713

Confirmation No.: 9985

For: Fluoropolymer Resins Containing Ionic or Ionizable

GROUPS AND PRODUCTS CONTAINING THE SAME

# REQUEST FOR CORRECTION OF INVENTORSHIP OF A PATENT APPLICATION UNDER 37 C.F.R. § 1.48

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Docket No.: 3055-002-01

July 30, 2004

Sir:

Pursuant to 37 C.F.R. § 1.48 as well as 35 U.S.C. § 116, a correction of inventorship in the above-identified U.S. patent application is hereby requested.

Upon investigating the inventorship of the above-identified U.S. patent application and especially in view of the allowed claims as set forth in the Notice of Allowance dated April 1, 2004, it has been determined that the executed § 1.63 declaration previously filed is in error and that the error arose without any deceptive intention on the part of the person who through error was not named as an inventor. By this filing, a correction of the inventorship is hereby requested and it is requested that inventorship be amended to name two additional inventors not previously set forth in the previously executed § 1.63 declaration.

To accompany this Request for Correction of Inventorship, a request to correct inventorship that sets forth the desired inventorship change is attached as Attachment A.

A statement from each person being added as an inventor which states that the error in inventorship occurred without deceptive intention on his or her part is set forth as Attachment B.

An oath or declaration by the actual inventors as required by § 1.63 is set forth as

Attachment C. 08/04/2004 MMEKÜNEN 00000057 09774266

01 FC:1460 130.00 OP

The processing fee as set forth in § 1.17(i) is enclosed with the credit card payment form.

Finally, the written consent of the assignee to this correction of inventorship is also enclosed and attached as Attachment D.

In view of the above submissions, correction of the inventorship is respectfully requested.

In the event that any additional fees are due in connection with this paper, please charge such fees to Deposit Account No. 50-0925.

Respectfully submitted.

Luke A. Kilyk

Reg. No. 33,251

Atty. Docket No. 3055-002-01 KILYK & BOWERSOX, P.L.L.C. 53 A East Lee Street Warrenton, VA 20186

Tel.: (540) 428-1701 Fax: (540) 428-1720

Enclosures: Attachments A-D

#### ATTACHMENT A - Request to Correct Inventorship

**INVENTORSHIP READS:** 

Lotfi HEDHLI

Laurent BILLON

**INVENTORSHIP SHOULD READ:** 

Lotfi HEDHLI

Laurent BILLON

Michel FOURE

Ramin AMIN-SANAYEI

#### ATTACHMENT B

I hereby certify that this correspondence is being facsimil	e transmitted to the United States Patent and Trademark
Office, Fax No. 1-703-872-9306 on July 30, 2064	RECEIVED
Donald Prater Donald 3 Ports	CENTRAL FAX CENTER
Name (Print) Signature	JUL 3 0 2004
IN THE UNITED STATES PATE	ENT AND TRADEMARK OFFICE OFFICIAL
In re Application of: HEDHLI et al.	Examiner: William K. Cheung
Application Number: 09/774,266 )	Group Art Unit: 1713
Filed: January 30, 2001	Confirmation No.: 9985
Docket No.: 3055-002-01	Customer No.: 33432

For: FLUOROPOLYMER RESINS CONTAINING IONIC OR IONIZABLE

GROUPS AND PRODUCTS CONTAINING THE SAME

#### STATEMENT FROM PERSON BEING ADDED AS AN INVENTOR

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

I, Michel Foure, due declare and state as follows:

I believe that I am one of the inventors of U.S. Patent Application No. 09/774,266.
 The fact that I was not named as an inventor earlier was in error and this error in inventorship occurred without any deceptive intention on my part.

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

7-23-2004

Michel Foure

Date

Office, Fax No. 1-703-872-9306 on Sylv 30. 2004	ile transmitted to the United States Patent and	Trademark
Donald Prater Signature  Name (Print) Signature	lon	RECEIVED CENTRAL FAX CENTER
IN THE UNITED STATES PAT	ENT AND TRADEMARK OFFICE	JUL 3 0 2004
In re Application of: HEDHLI et al.	Examiner: William K. Cheung	<u> </u>
Application Number: 09/774,266	Group Art Unit: 1713	OFFICIAL
Filed: January 30, 2001	Confirmation No.: 9985	
Docket No.: 3055-002-01	Customer No.: 33432	

For: Fluoropolymer Resins Containing Ionic or Ionizable

GROUPS AND PRODUCTS CONTAINING THE SAME

#### STATEMENT FROM PERSON BEING ADDED AS AN INVENTOR

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

- I, Ramin Amin-Sanayei, due declare and state as follows:
- 1) I believe that I am one of the inventors of U.S. Patent Application No. 09/774,266. The fact that I was not named as an inventor earlier was in error and this error in inventorship occurred without any deceptive intention on my part.

I hereby declare that all statement made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Ramin Amin-Sanayei

Date

July 23,04

ATTACHMENT C

Docket No. 3055-002-01



KILYK & BOWERSOX, P.L.L.C.

### Declaration for U.S. Patent Application

As a below named inventor, We/I hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We/I believe We/I are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled FLUOROPOLYMER RESINS CONTAINING IONIC OR IONIZABLE GROUPS AND PRODUCTS CONTAINING THE SAME, the application of which is attached hereto unless the following is checked

$\boxtimes$	was filed on January 30, 2001, as United States Application Number 09/774,266 and was amended on February 13, 2001, May 3, 2001, September 4, 2003, January 14, 2004, and March 12, 2004 (if applicable).
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We/I hereby state that We/I have reviewed and understand the contents of the above-identified specification, including the claim(s), as amended by any amendment referred to above.

We/I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

We/I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed:

(List prior foreign	<u>.                                    </u>		·	Priority Claimed
applications.)	(Number)	(Country)	(Day/Month/Year Filed)	103 140
•	(Number)	(Country)	(Day/Month/Year Filed)	Yes No
	(Number)	(Country)	(Day/Month/Year Filed)	Yes No
<ul> <li>See attached list for additional</li> </ul>	(Number)	(Country)	(Day/Month/Year Filed)	Yes No

We/I hereby claim the benefit under Title 35, United States Code, § 120 or § 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, We/I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List Prior U.S. Applications)	١	60/182,732 (Appln. Serial No.)	February 15, 2000 (Filing Date)	(Status: Patented, Pending, Abandoned)
		(Appln. Serial No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)
		(Appln. Serial No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)

We/I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Luke A. Kilyk, Reg. No. 33,251; and Leonard D. Bowersox, Reg. No. 33,226

Please direct all communications to the following address:

Luke A. Kilyk, Esq.

KILYK & BOWERSOX, P.L.L.C.

53 A East Lee Street Warrenton, VA 20186

Telephone: (540) 428-1701 / Fax: (540) 428-1720

We/I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. (See note C above)

run name of hist invenior (given name, family name) Lotti HEDHLI	
Inventor's signature:	Date: Muly 12, 2004
Residence: 561 Traymore Avenue, King of Prussia Pennsylvania 19406	Chizenship: French
Post Office Address:Same as above	
Full name of second inventor (given name, family name): Laurent BILLON	
Inventor's signature:	Date:
Residence:	Citizenship: French
Post Office Address:Same as above	
Full name of third inventor (given name, family name): Michel FOURE	
Inventor's signature:	Date: 7-15-2004
Residence: 228 Pugh Rd - Wayne, PA 19087-USA	Citizenship: French
Post Office Address: Same as above	
Full name of fourth inventor (given name, family name): Ramin-Amin-SANAYEI_	
Inventor's signature:	Date: Suly 12, 200 cs
Residence: 1527 Calley Ave , College Ville, P. F.	Citizenship: 1/5 19
Post Office Address:	19426

Docket No. 3055-002-01



KILYK & BOWERSOX, P.L.L.C.

## Declaration for U.S. Patent Application

As a below named inventor, We/I hereby declare that:

Our residence, post office address and citizenship are as stated below next to our names.

We/I believe We/I are the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled <u>FLUOROPOLYMER</u> <u>RESINS CONTAINING IONIC OR IONIZABLE GROUPS AND PRODUCTS CONTAINING THE SAME</u>, the application of which is attached hereto unless the following is checked

	was filed on <u>January 30, 2001</u> , as United States Application Number <u>09/774,266</u> and was amended on <u>February 13, 2001</u> , <u>May 3, 2001</u> , <u>September 4, 2003</u> , <u>January 14, 2004</u> , and <u>March 12, 2004</u> (if applicable).
--	---

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We/I hereby claim foreign priority benefits under Title 35, United States Code, § 119 (a) - (d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application for which priority is claimed:

(List prior foreign				Priority Claimed Yes No
applications.)	(Number)	(Country)	(Day/Month/Year Filed)	165140
	(Number)	(Country)	(Day/Month/Year Filed)	Yes No
	(Number)	(Country)	(Day/Month/Year Filed)	Yes No
See attached list for additiona	(Number)	(Country)	(Day/Month/Year Filed)	Yes No

We/I hereby claim the benefit under Title 35, United States Code, § 120 or § 119(e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, We/I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

(List Prior U.S. Applications)	60/182,732 (Appln. Serial No.)	February 15, 2000 (Filing Date)	(Status: Patented, Pending, Abandoned)	
	(Appln. Serial No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)	
	(Appln. Serial No.)	(Filing Date)	(Status; Patented, Pending, Abandoned)	

PAGE 14

We/I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Luke A. Kilyk, Reg. No. 33,251; and Leonard D. Bowersox, Reg. No. 33,226

Please direct all communications to the following address:

Luke A. Kilyk, Esq. KILYK & BOWERSOX, P.L.L.C. 53 A East Lee Street

Warrenton, VA 20186

Telephone: (540) 428-1701 / Fax: (540) 428-1720

We/I hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18 of the United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon. (See note C above)

Full name of first inventor (given name, family name) Lotfi HEDHLI	
Inventor's signature:	_ Date:
Residence: 53 Llanfair Road, Ardmore, Pennsylvania 19003	_ Citizenship: French
Post Office Address: Same as above	
Full name of second inventor (given name, family name): Laurent BILLON	
Inventor's signature:	Date: 07/JS/04
Residence: 640 American Avenue, King of Prussia, Pennsylvania 19406	Citizenship: French
Post Office Address:Same as above	
Full name of third inventor (given name, family name): Michel FOURE	
Inventor's signature:	Date:
Residence:	_ Citizenship:
Post Office Address: Same as above	
Full name of fourth inventor (given name, family name): Ramin Amin-SANAYEI	
Inventor's signature:	_ Date:
Residence:	_ Citizenship:
Post Office Address:	

ATTACHMENT D

FROM ATOFINA CHEMICALS, INC. PATENT

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(FRI) 7. 30' 04 7:45/ST. 7:44/NO. 4862261040 P 2

JUL. 3 0 2004

PTO/S8/56 (08-00)

Approved for use through 10/31/2002. OMB 0681-0031

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to respond to a collection of information unless it displays a valid OMB control number. & TRADENT STATEMENT UNDER 37 CFR 3.73(b) and CONSENT TO CORRECTION Applicant/Patent Owner: HELHLI et al. Application No./Patent No.: 09/774,266 Filed/Issued Date: January 30, 2001 Entitled: FLUOROPOLYMER RESINS CONTAINING IONIC OR IONIZABLE GROUPS AND PRODUCTS CONTAINING THE SAME AtoFina Chemicals, Inc. a Corporation (Name of Assumes) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.) states that it consents to the correction of Inventorship herein and it is: 1. A the assignee of the entire right, title, and interest; or 2. 

an assignee of less than the entire right, title and interest. The extent (by, percentage) of its ownership interest is in the patent application/patent identified above by virtue of either: An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel/Frame 011776/0401, or for which a copy thereof is attached. OR **B**.[] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below: 1. From: To: The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_ , or for which a copy thereof is attached. To: The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_ , or for which a copy thereof is attached. 3. From: To: The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_. Frame , or for which a copy thereof is attached. [ ] Additional documents in the chain of title are listed on a supplemental sheet. Copies of assignments or other documents in the chain of title are attached. NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302.08] The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee. Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231 UO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES DEPARTMENT OF COMMERCE Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER OF PATENTS AND TRADEMARKS Washington, D.C. 20231

JULY 25, 2001

PTAS

\*101713049A\*

KILYK & BOWERSOX, P.L.L.C. LUKE A. KILYK 53A LEE STREET WARRENTON, VA 20186

5404281721

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